

## REMARKS

Claims 1-4, 6, 7 and 10-12 are pending in the present application, with claims 5, 8 and 9 having been canceled. Claims 1, 10 and 11 have been amended. In view of the preceding amendments and following remarks, it is respectfully submitted that claims 1-4, 6, 7 and 10-12 are in allowable condition.

Claims 11 and 12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response, claim 11 has been amended to recite "the barrier layer being situated in regions between the first and third solid electrolyte layers," as acknowledged by the Examiner as being clearly supported by the specification. Accordingly, Applicants submit that the rejection of claims 11 and 12 has been overcome.

Claims 1-8, 11 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,071,393 ("Oshima"). Furthermore, the Examiner objected to claims 9 and 10 as being dependent upon a rejected base claim, but the Examiner also indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In particular, the Examiner noted that "the prior art does not . . . render obvious all the limitations of claim 8 and further comprising a further reference electrode that lies opposite the reference electrode in the reference gas channel." In response, Applicants have amended claim 1 to incorporate the limitations of claims 8 and 9 into independent claim 1, and claim 10 has been amended to depend from claim 1. Claims 8 and 9, along with claim 5, have been canceled. In view of the amendments, Applicants respectfully submit that claim 1 and its dependent claims 2-4, 6-7 and 10-12 are now in allowable condition.

**Conclusion**

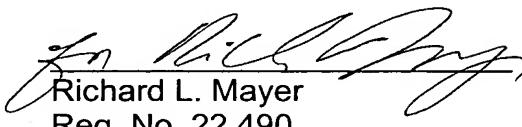
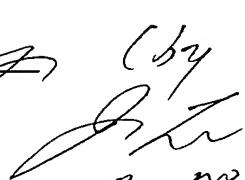
It is respectfully submitted that all pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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